

CITY OF TUMWATER  
PUBLIC WORKS DEPARTMENT  
555 ISRAEL ROAD SW  
TUMWATER, WA 98501

Thurston County Treasurer

Real Estate Excise Tax Paid # 724111  
By 7/10/2014 mcoo Deputy

## RIGHT-OF-WAY VACATION ORDINANCE

### REFERENCE NUMBERS(S) OF RELATED DOCUMENTS

Ordinance No. O2014-003, Pages 1-2

Exhibit "A", Site Map showing Capitol Boulevard and Linwood Avenue within Parcel No. 33870000200 to be vacated

Statutory Warranty Deed

(ADDITIONAL REFERENCE NUMBERS ON PAGE )

**GRANTOR(S)** (LAST, FIRST, MIDDLE INITIAL)

Tumwater, City of

(ADDITIONAL GRANTEES ON PAGE )

**GRANTEE(S)** (LAST, FIRST, MIDDLE INITIAL)

Sohal, Satpal S. and Sohal, Bhupinder K.

(ADDITIONAL GRANTEES ON PAGE )

SB Hotels LLC

### LEGAL DESCRIPTION

(ABBREVIATED FORM: I.E. LOT, BLOCK, PLAT OR SECTION, TOWNSHIP, RANGE, QUARTER/QUARTER)

streets and alleys lying within and or adjacent to Blocks 7 and 8 of B.W. Johns 1<sup>st</sup> Addition, recorded in Volume 6 of Plats at Page 21, and lying within Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623

(ADDITIONAL LEGAL DESCRIPTION IS ON PAGE Exhibit "A" )

### ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

33870000200

(ADDITIONAL PARCEL NUMBERS ON PAGE )

THE AUDITOR/RECORDER WILL RELY ON INFORMATION PROVIDED ON THIS FORM. COUNTY STAFF WILL NOT READ DOCUMENTS TO VERIFY ACCURACY OR COMPLETENESS OF THE INDEXING INFORMATION PROVIDED.



## **ORDINANCE NO. O2014-003**

**AN ORDINANCE** of the City Council of the City of Tumwater, Washington, vacating the hereinafter described portion of City right-of-way lying east of Capitol Boulevard and south of Linwood Avenue within Parcel No. 33870000200 in the City of Tumwater, pursuant to RCW Chapter 35.79 and Tumwater Municipal Code 12.04 as more fully described herein.

**WHEREAS**, a petition for vacation of the hereinafter described public right-of-way was filed with the City of Tumwater; and

**WHEREAS**, notice of the public hearing was duly published and posted, and a public hearing held on April 1, 2014; and

**WHEREAS**, similar notice was duly given by mail to owners of all properties surrounding the right-of-way sought to be vacated; and

**WHEREAS**, the City Council finds sufficient grounds for the vacation of said portion of City right-of-way, and that vacation thereof would be in the public interest.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** The portion of public right-of-way described as follows and depicted in Exhibit "A" attached hereto and by reference made a part of this ordinance, is hereby vacated:

Any and all portions of streets and alleys lying within and or adjacent to Blocks 7 and 8 of B.W. Johns 1<sup>st</sup> Addition to Tumwater as recorded in Volume 6 of Plats at Page 21, and lying within Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623, all Records of Thurston County, Washington. Containing 12,276 Square Feet, more or less.

**Section 2.** Compensation for the vacated right-of-way has been provided through dedication of right-of-way for equivalent fair market value pursuant to Tumwater Municipal Code Section 12.04.120 Property Trade in Lieu of Payment.

**Section 3. Corrections.** The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not

limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 5. Severability.** The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

**Section 7. Effective Date.** This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law. Pursuant to RCW 35.79 and Tumwater Municipal Code 12.04.110, the City Clerk is hereby directed to not publish this ordinance until said dedication of right-of-way document has been received and verified. In the event such dedication is not received within ninety (90) days of the City Council's adoption of said ordinance, this ordinance shall be null and void.

ADOPTED this 1st day of April, 2014.

CITY OF TUMWATER



Pete Kmet, Mayor

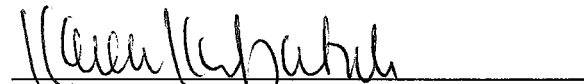
ATTEST:



~~Melody Valiant, City Clerk~~

Irene M Koester, Acting City Clerk

APPROVED AS TO FORM:

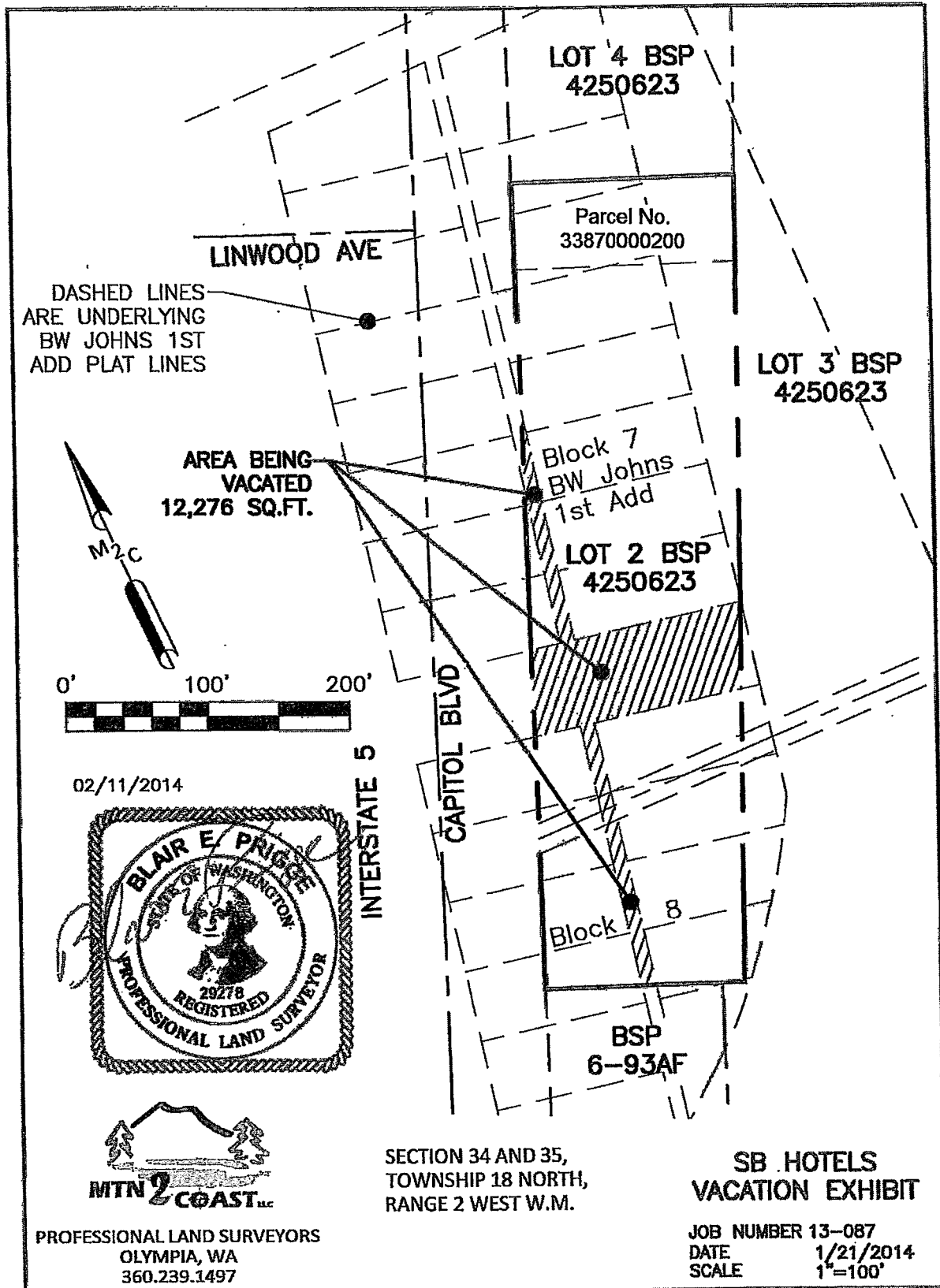


Karen Kirkpatrick, City Attorney

Published: July 18, 2014

Effective Date: August 18, 2014

Ordinance No. O2014-003, Exhibit "A"



Return Address:

City of Tumwater  
Attention Community Development  
555 Israel Road SW  
Tumwater, WA 98501

10 JUL '14 724111

**Thurston County Treasurer**

Real Estate Excise Tax Paid

none

By

M. WOOD

Deputy

**STATUTORY WARRANTY DEED**

Grantor (s): SATPAL S. SOHAL and BHUPINDER K. SOHAL, husband and wife and SB HOTELS LLC, a Washington limited liability company

Grantee (s): CITY OF TUMWATER, a Washington municipal corporation

Property Legal Description (abbreviated):

Lot 2 of Bellatorre Binding Site Plan No. 12-0034 TW

Additional Legal(s) on Exhibit A, Page 4

Assessor's Tax Parcel ID#(s): 33870000200

THE GRANTOR(S), SATPAL S. SOHAL and BHUPINDER K. SOHAL, husband and wife and SB HOTELS LLC, a Washington limited liability company for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to the CITY OF TUMWATER, a Washington municipal corporation, the real property described under the heading Right-of-Way Dedication Legal Description in Exhibit "A" herewith attached and made a part hereof, and shown on the Dedication Exhibit marked as Exhibit "B" herewith attached and made a part hereof, along with any after-acquired interest therein, situated in Thurston County in the State of Washington.

EXECUTED as of the date by the signatures set forth below.



GRANTOR(S)

[Signature] 23/6/14  
Satpal S. Sohal Date

B. K. Sohal 06/23/14  
Bhupinder K. Sohal Date

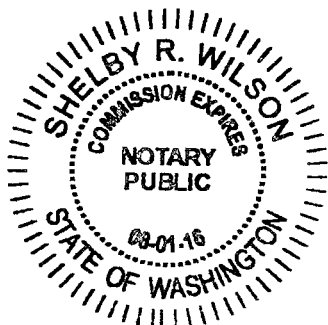
SB HOTELS LLC,  
a Washington limited liability company

[Signature] 23/6/14  
Satpal S. Sohal Date  
Authorized Member

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

I certify that I know or have satisfactory evidence that Satpal S. Sohal, is the person who appeared before me and is the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Dated this 23rd day of June, 2014.

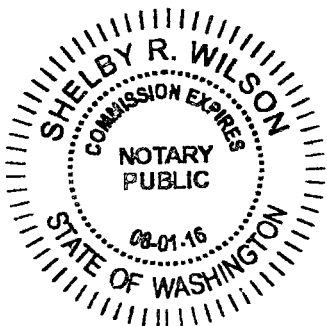



[Signature]  
Type or print name: SHELBY R. WILSON  
Notary Public in and for the State of Washington  
Residing at: TUMWATER WA  
My Appointment Expires: AUGUST 1, 2016

STATE OF WASHINGTON           )  
  ) ss.  
COUNTY OF THURSTON        )

I certify that I know or have satisfactory evidence that Bhupinder K. Sohal, is the person who appeared before me and is the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

Dated this 20th day of June, 2014.

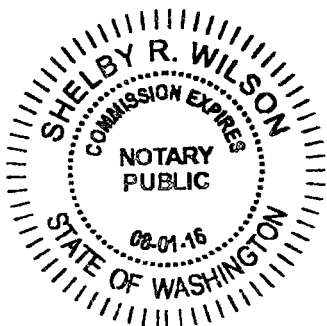



  
Type or print name: SHELBY R. WILSON  
Notary Public in and for the State of Washington  
Residing at: TUMWATER WA  
My Appointment Expires: AUGUST 1, 2016

STATE OF WASHINGTON           )  
  ) ss.  
COUNTY OF THURSTON        )

I certify that I know or have satisfactory evidence that Satpal S. Sohal, is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the authorized member of SB Hotels LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 20th day of June, 2014.



  
Type or print name: SHELBY R. WILSON  
Notary Public in and for the State of Washington  
Residing at: TUMWATER, WA  
My Appointment Expires: AUGUST 1, 2016

RIGHT-OF-WAY DEDICATION

SB HOTELS LEGAL DESCRIPTION

Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623, Records of Thurston County, Washington.

RIGHT-OF-WAY DEDICATION LEGAL DESCRIPTION

That portion of Lot 2 of Bellatorre Binding Site Plan, City of Tumwater Binding Site Plan No. 12-0034-TW, as recorded February 9, 2012 under Auditor's File No. 4250623, Records of Thurston County, Washington more particularly described as follows:

Beginning at the northwest corner of said Lot 2, Thence along the easterly right-of-way margin of Capitol Boulevard, South  $23^{\circ}23'47''$  West, 137.61 feet; Thence North  $72^{\circ}00'20''$  East, 34.84 feet to the beginning of a curve concave to the West, having a radius of 110.25 feet; Thence along said curve through a central angle of  $65^{\circ}24'14''$  an arc distance of 125.85 feet to the north line of said Lot 2; Thence along said north line, North  $66^{\circ}36'13''$  West, 58.79 feet to the Point of Beginning.

Legal Description Prepared by:

Blair E. Prigge, PLS  
MTN2COAST, LLC  
01/23/2014

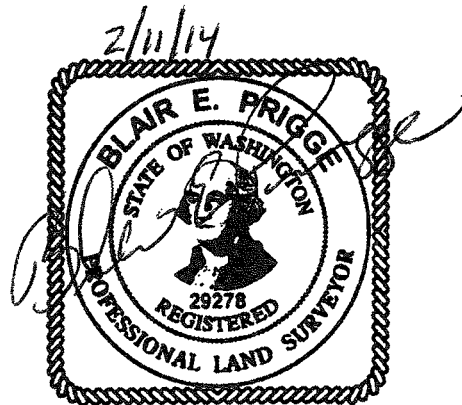


Exhibit A



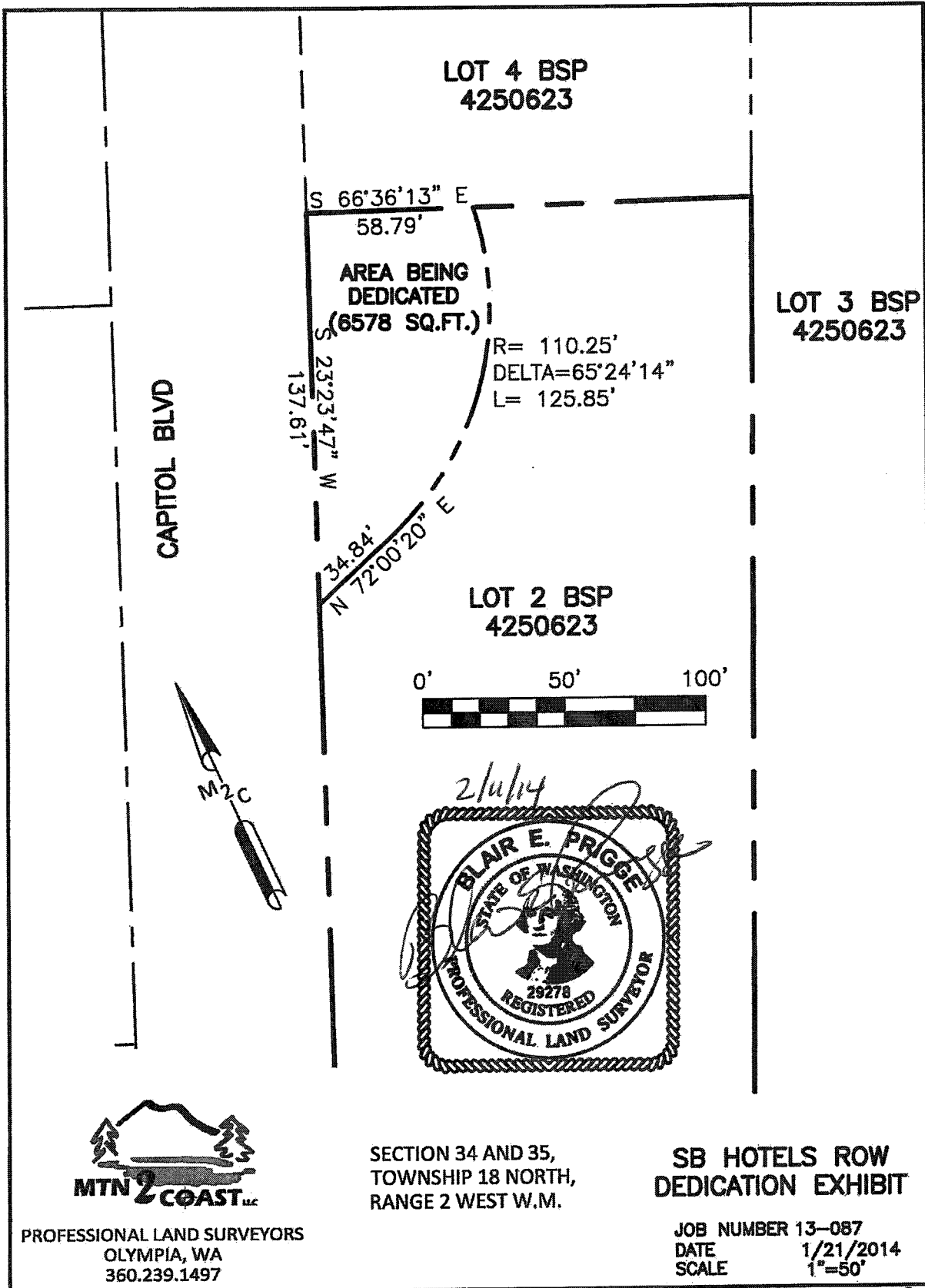


Exhibit B

# REAL ESTATE EXCISE TAX AFFIDAVIT

This form is your receipt  
when stamped by cashier.

PLEASE TYPE OR PRINT

CHAPTER 82.45 RCW – CHAPTER 458-61A WAC

THIS AFFIDAVIT WILL NOT BE ACCEPTED UNLESS ALL AREAS ON ALL PAGES ARE FULLY COMPLETED

(See back of last page for instructions)

☐ Check box if partial sale of property

If multiple owners, list percentage of ownership next to name.

1 SELLER GRANTOR	Name <u>Satpal S. Sohail and Bhupinder K. Sohail, husband and wife and</u> <u>SB HOTELS LLC, a Washington limited liability company</u>	2 BUYER GRANTEE	Name <u>City of Tumwater</u> <u>a Washington municipal corporation</u>
	Mailing Address <u>9322 S 216th Place</u>		Mailing Address <u>555 Israel Road SW</u>
	City/State/Zip <u>Kent, WA 98031</u>		City/State/Zip <u>Tumwater, WA 98501</u>
	Phone No. (including area code) <u>(206) 229-5246</u>		Phone No. (including area code) _____
3	Send all property tax correspondence to: <input checked="" type="checkbox"/> Same as Buyer/Grantee	List all real and personal property tax parcel account numbers – check box if personal property	
	Name _____	PTN 33870000200 <input type="checkbox"/>	
	Mailing Address _____	<input type="checkbox"/>	
	City/State/Zip _____	<input type="checkbox"/>	
	Phone No. (including area code) _____	<input type="checkbox"/>	
		List assessed value(s) <u>\$347,400.00</u>	

4 Street address of property: 4600 Capitol Blvd SE, Tumwater, WA 98501

This property is located in Thurston County

☐ Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if more space is needed, you may attach a separate sheet to each page of the affidavit)

See attached exhibit A

5	Select Land Use Code(s): <u>91 - Undeveloped land (land only)</u> enter any additional codes: _____ (See back of last page for instructions)	7	List all personal property (tangible and intangible) included in selling price.
	Was the seller receiving a property tax exemption or deferral under chapters 84.36, 84.37, or 84.38 RCW (nonprofit organization, senior citizen, or disabled person, homeowner with limited income)? YES <input type="checkbox"/> NO <input type="checkbox"/>		If claiming an exemption, list WAC number and reason for exemption: WAC No. (Section/Subsection) <u>458-61A-205</u> Reason for exemption <u>Transfer for public purpose-Dedication</u>
6	Is this property designated as forest land per chapter 84.33 RCW? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Is this property classified as current use (open space, farm and agricultural, or timber) land per chapter 84.34? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Is this property receiving special valuation as historical property per chapter 84.26 RCW? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If any answers are yes, complete as instructed below. (1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE) NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, you must sign on (3) below. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale. (RCW 84.33.140 or RCW 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information. This land <input type="checkbox"/> does <input type="checkbox"/> does not qualify for continuance. DEPUTY ASSESSOR _____ DATE _____ (2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY) NEW OWNER(S): To continue special valuation as historic property, sign (3) below. If the new owner(s) does not wish to continue, all additional tax calculated pursuant to chapter 84.26 RCW, shall be due and payable by the seller or transferor at the time of sale. (3) OWNER(S) SIGNATURE _____ PRINT NAME _____		Type of Document <u>Statutory Warranty Deed</u> Date of Document _____ Gross Selling Price \$ _____ *Personal Property (deduct) \$ _____ Exemption Claimed (deduct) \$ _____ Taxable Selling Price \$ <u>0.00</u> Excise Tax : State \$ <u>0.00</u> <u>0.0050</u> Local \$ <u>0.00</u> *Delinquent Interest: State \$ _____ Local \$ _____ *Delinquent Penalty \$ _____ Subtotal \$ <u>0.00</u> *State Technology Fee \$ <u>5.00</u> *Affidavit Processing Fee \$ <u>5.00</u> Total Due \$ <u>10.00</u> A MINIMUM OF \$10.00 IS DUE IN FEE(S) AND/OR TAX *SEE INSTRUCTIONS

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Grantor or Grantor's Agent <u>[Signature]</u>	Signature of Grantee or Grantee's Agent <u>Pete Kmet, Mayor</u>
Name (print) <u>James Randall</u>	Name (print) <u>Pete Kmet</u>
Date & city of signing: <u>7/10/14 OLYMPIA</u>	Date & city of signing: <u>7/9/14 Tumwater</u>

**Perjury:** Perjury is a class C felony which is punishable by imprisonment in the state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both imprisonment and fine (RCW 9A.20.020 (1C)).

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